

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN GACHAGO,)
Plaintiff,)
vs.)
BRISTOL-MYERS SQUIBB,)
AMERICAN EXPRESS, and)
CG SERVICES LIMITED PARTNERSHIP)
Defendants)

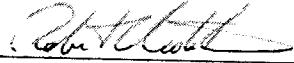
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LOCAL RULE 16.1(D)(3) CERTIFICATION

Eve Slattery, counsel for Defendant Bristol-Myers Squibb Company ("BMS"), and Robert Ciolek, authorized representative of BMS, hereby certify and affirm that they have conferred: (1) with a view toward establishing a budget for the costs of conducting the full course – and various courses—of the litigation; and (2) to consider the resolution of the litigation through the use of alternative dispute resolution programs.



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Dated: May 16, 2005